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October 20, 2022

Honorable Yvonne Gonzalez Rogers, U.S.D.J.  
U.S. District Court for the Northern District of California  
1301 Clay Street  
Oakland, CA 94612

Dear Judge Gonzalez Rogers,

Pursuant to the Order Setting Initial Conference (Doc. 2), I respectfully submit this letter along with the attachments hereto, in support of my application to be appointed Plaintiffs' Co-Lead Counsel in MDL No. 3047. As set forth below, I have the time, resources, experience, and relationships with other lawyers to serve as Co-Lead Counsel.

### **1. Professional and MDL Experience**

I am a Principal in the Mass Torts Section of Beasley, Allen, Crow, Methvin, Portis, & Miles, P.C. ("Beasley Allen"), a national law firm headquartered in Alabama, with offices in Georgia and Texas. Beasley Allen is composed of 94 attorneys and over 230 support staff representing clients all over the country and internationally.

Beasley Allen has extensive experience handling complex litigation, multi-district litigation, class action litigation, and attorney general litigation throughout the United States. Beasley Allen has handled cases involving verdicts and settlements amounting to nearly \$30 billion, representing plaintiffs in personal injury, products liability, consumer fraud, class actions, business litigation, and mass tort litigation. Beasley Allen lawyers have a strong reputation for leadership, cooperation, professionalism, and hard work in multidistrict litigations. Attorneys from Beasley Allen have been selected by federal courts as lead counsel or co-lead counsel in 12 MDLs and have been appointed to the Plaintiff's Executive Committee and/or Steering Committee in 39 additional complex MDLs.<sup>1</sup>

My first MDL experience was assisting Beasley Allen's Andy Birchfield while he served as co-lead for the Xarelto MDL, which contained more than 30,000 plaintiffs. I worked with Mr. Birchfield in communication with plaintiff and defense leadership at the highest levels and played a key role in global strategic decisions. I participated in discovery, briefing, bellwether trials, trial package preparation, case remands, and negotiation and implementation of a global settlement.

In 2019, Beasley Allen initiated a national litigation against JUUL Labs, Inc. for personal injuries caused to youth by JUUL e-cigarettes and damages suffered by school districts dealing with the national youth vaping epidemic. Those cases were consolidated into an MDL in front of Judge William Orrick in the Northern District of California. I was honored to be the youngest attorney appointed to the PSC by Judge Orrick.

Since that time, I have committed an overwhelming majority of my professional time to JUUL MDL work, where I have had the honor of serving and learning under Co-Leads who exemplify the traits necessary to successfully lead a complex litigation. I have worked

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<sup>1</sup> List of Beasley Allen's MDL appointments available upon request.

cooperatively with plaintiff and defense counsel to vigorously represent the interest of plaintiffs in the litigation while upholding principles of professionalism, courtesy, and civility. I was selected by the MDL Co-Leads to serve as Co-Chair of the Personal Injury Bellwether Committee and to serve on the Trial, Discovery, Expert, and Law & Briefing Committees. Beasley Allen represents three of the four personal injury bellwether plaintiffs in the first round of bellwether trials, and I was selected to try those cases alongside MDL leadership. My experience representing adolescents and young adults in claims related to addiction in the JUUL litigation is highly relevant and important to the current social media litigation.

## **2. Names and Contact Information of Judges**

### **MDL 2913 – In re: Juul Labs, Inc.**

Judge William Orrick	Judge Jacqueline Scott Corley
450 Golden Gate Avenue	450 Golden Gate Avenue
San Francisco, CA 94102	San Francisco, CA 94102
415-522-2077	415-522-2015

### **MDL 2592 – Xarelto Product Liability Litigation**

Judge Eldon Fallon  
500 Poydras Street, Room C456  
New Orleans, LA 70130  
504-589-7545

## **3. Willingness and Ability to Commit to Time-Consuming Litigation**

I have spent substantial time and resources over the last several months working on this litigation, and I will continue to devote a significant portion of my professional time to this MDL moving forward. I am only involved in one other MDL litigation at this time. As such, I have the time necessary to serve as Co-Lead Counsel of this MDL.

To date, Beasley Allen has filed 47 federal lawsuits against Meta, Snap, and/or TikTok that are pending in or will soon be transferred to this MDL. My firm represents over 860 similarly situated clients, with another 2,680 cases at various stages of investigation. My team and I have met with and retained over a dozen key experts for this litigation. We are committed to representing the interests of current and future plaintiffs in this litigation and will commit the time and resources necessary to do so.

My early work and dedication to the social media litigation has been recognized by my colleagues, as evidenced by frequent invitations to speak at national conferences about the litigation, and by the list of accomplished attorneys who support me as Co-Lead Counsel in the MDL, as set forth on Exhibit B.

## **4. Willingness and Ability to Work Cooperatively with Plaintiff and Defense Counsel**

Because I understand this litigation will require a sustained and significant team effort, I filed a petition with the JPML for creation of this MDL. I understand that extraordinary teamwork, cooperation, and professionalism is necessary to prosecute complex litigation effectively and efficiently through an MDL. I strive to be fair, reasonable, and kind in my dealings with everyone, whether plaintiff or defense lawyer. I work to facilitate cooperation among lawyers with divergent and competing interests to achieve common goals.

For example, immediately after launching litigation against Meta, I organized and hosted an in-person meeting in Atlanta to bring together attorneys and firms from various backgrounds interested in pursuing this litigation. This collaboration and cooperation among plaintiff firms continued through my coordination of weekly Zoom meetings and additional in-person meetings to discuss litigation strategies and plan for the prosecution of this action. As a result of this cooperation, a diverse, talented, and committed group of plaintiff attorneys is prepared to immediately begin work on this MDL.

#### **5. Access to Resources to Prosecute the Social Media Litigation**

Beasley Allen is deeply committed to this litigation and will commit significant resources to prosecute this litigation efficiently, effectively, and successfully. The firm routinely advances substantial sums of moneys to fund complex cases and is committed to do so here. Beasley Allen has never failed to make financial contributions in support of an MDL to which it has been assigned.

Beasley Allen will provide a diverse team of lawyers at various stages of their legal careers who will also work to contribute to this MDL, including Andy Birchfield, Jennifer Emmel, Soo Seok Yang, Clinton Richardson, Sydney Everett, Davis Vaughn, Suzanne Clark, and Seth Harding. This unique team includes attorneys with wide-ranging backgrounds, including a former Assistant U.S. Attorney, a Ph.D. in biomedical science, a former Korean Air Force intelligence officer, a current member of the Army National Guard, and a certified e-Discovery specialist.

#### **6. Willingness to Serve as Co-Lead Counsel or Member of PSC**

I would be honored to be appointed by the Court as a Co-Lead of this MDL. I fully understand the level of hard work, commitment, and cooperation required to lead a litigation of this magnitude. I am humbled that so many experienced and capable lawyers have expressed their support for me to serve in a lead role. I respectfully seek appointment to serve as Co-Lead Counsel for the Plaintiffs' Steering Committee or such other role the Court deems appropriate.

#### **7. Other Considerations**

A diverse, capable, and multi-faceted PSC will be critical to the management and prosecution of this litigation. As such, I respectfully submit Exhibit B that indicates the attorneys and firms who support my application to serve as Co-Lead Counsel. I likewise support each of the attorneys listed on Exhibit B in the positions indicated therein. This is a highly experienced, capable, and cooperative group of attorneys that is diverse based on age, demographics, race, nationality, sexual orientation, background, and experience. Appointment of four Co-Leads and a sizeable PSC will facilitate the efficient and effective coordination of simultaneous efforts on multiple fronts, especially considering the potential scope of this MDL as defined by the JPML. A leadership team of this size will enable concurrent discovery into each defendant/issue, navigation of complex factual and legal issues, and staffing of multiple teams to try cases in succession, without delay.

I appreciate the Court's time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph VanZandt", written in a cursive style.

Joseph VanZandt